

REMARKS

Claims 2, 4-5, 7 and 14-17 are pending in this application. Claims 2, 4, 15 and 17 are independent.

Claims 2 and 14-17 stand rejected under 35 USC §102(b), as anticipated by Tucker et al. (U.S. Patent No. 4,929,423). Claims 4-5 and 7 stand rejected under 35 USC §103(a), as obvious over Kenji et al. (JP Pub. 11-021660), in view of Tucker. The rejections are respectfully traversed.

The traversal arguments presented in the responses filed on September 9, 2002 and March 19, 2003, are reasserted herein in their entirety.

In the Advisory Action of March 6, 2003, claim 1 is noted as being rejected. However, claim 1 is no longer pending in this application, having been cancelled in the Amendment filed on September 9, 2002 (see page 2 of Amendment).

In the Advisory Action, the Examiner asserts that the Request for Reconsideration has been considered but does not place the application in condition for allowance because "Tucker ('423) clearly teaches a lead free solder composition in column 4, lines 25-38. Examiner maintains a final rejection."

The newly relied upon text in column 4, lines 24-27, relates to the exemplary alloy compositions disclosed by Tucker in Table 1 and Table 2 set forth in columns 2 and 3. It is first noted that alloy compositions described therein (with the exception of example 9) exclude phosphorus, and accordingly fail to meet the limitations of independent claims 2, 4, 15 and 17. Furthermore, none of the alloy compositions in Tables 1 and 2 include 2.0 to 5.0% by mass of silver, as required by independent claims 2, 4, 15 and 17.

Additionally, as noted in column 3, line 11, examples 5 and 6 are comparative

examples of prior art compositions which are free of bismuth, but include lead. On the other hand, the inventive compounds 1-4 and 7-9 in Tables 1 and 2, which are lead-free, include bismuth. Accordingly, these compounds fail to meet the limitation in independent claims 2 and 4, that the balance consist of tin and of independent claim 17, which excludes bismuth. These compositions also fail to meet the requirement of dependent claims 14 and 16.

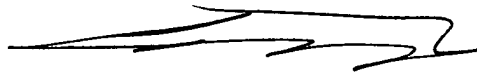
In column 4, lines 28-38 (Tucker's claim 1), the disclosed alloy composition explicitly includes bismuth, and lacks the required mass of silver and phosphorus (as applicable) of independent claims 2, 4, 15 and 17.

Accordingly, it is respectfully submitted that the present claims clearly and patentably distinguish over the applied prior art. It is therefore respectfully requested that the rejection again be reconsidered and withdrawn.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 01-2135 and please credit any excess fees to such deposit account.

Respectfully submitted,
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